

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 9, 2006

CHAPTER 1005

IOWA LOTTERY — MONITOR VENDING MACHINES

S.F. 2330

AN ACT prohibiting monitor vending machines and providing an excise tax and an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 99G.3, subsection 7, Code 2005, is amended to read as follows:

7. “Lottery”, “lotteries”, “lottery game”, “lottery games” or “lottery products” means any game of chance approved by the board and operated pursuant to this chapter and games using mechanical or electronic devices, provided that the authority shall not authorize a monitor vending machine or a player-activated gaming machine that utilizes an internal randomizer to determine winning and nonwinning plays and that upon random internal selection of a winning play dispenses coins, currency, or a ticket, credit, or token to the player that is redeemable for cash or a prize, and excluding gambling or gaming conducted pursuant to chapter 99B, 99D, or 99F.

Sec. 2. Section 99G.3, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 8A. “Monitor vending machine” means a machine or other similar electronic device that includes a video monitor and audio capabilities that dispenses to a purchaser lottery tickets that have been determined to be winning or losing tickets by a predetermined pool drawing machine prior to the dispensing of the tickets.

Sec. 3. **NEW SECTION.** 99G.30A MONITOR VENDING MACHINE — TAX IMPOSED.

1. If revenues are generated from monitor vending machines on or after forty-five days following the effective date of this Act, then there shall be a monitor vending machine excise tax imposed on net monitor vending machine revenue receipts at the rate of sixty-five percent.

2. a. The director of revenue shall administer the monitor vending machine excise tax as nearly as possible in conjunction with the administration of state sales tax laws. The director shall provide appropriate forms or provide appropriate entries on the regular state tax forms for reporting local sales and services tax liability.

b. All powers and requirements of the director to administer the state sales and use tax law are applicable to the administration of the monitor vending machine excise tax, including but not limited to the provisions of section 422.25, subsection 4, sections 422.30, 422.67, and 422.68, section 422.69, subsection 1, sections 422.70 to 422.75, section 423.14, subsection 1 and subsection 2, paragraphs “b” through “e”, and sections 423.15, 423.23, 423.24, 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46, and 423.47.

c. Frequency of deposits and quarterly reports of the monitor vending machine excise tax with the department of revenue are governed by the tax provisions in section 423.31. Monitor

vending machine excise tax collections shall not be included in computation of the total tax to determine frequency of filing under section 423.31.

3. For purposes of this section, “net monitor vending machine revenue receipts” means the gross receipts received from monitor vending machines less prizes awarded.

Sec. 4. **TRANSITION PROVISIONS — MONITOR VENDING MACHINES.** Notwithstanding any provision of section 99G.3, as amended by this Act, to the contrary, a retailer that has acquired a monitor vending machine prior to the effective date of this Act shall be allowed to offer the machine to the public for only forty-five days following the effective date of this Act. On or after forty-five days following the effective date of this Act, a retailer shall not make a monitor vending machine available to the public.

Sec. 5. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 20, 2006

CHAPTER 1006

OBESITY PREVENTION GRANT PROGRAM

S.F. 2124

AN ACT providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION.** 135.27 NUTRITION AND PHYSICAL ACTIVITY COMMUNITY OBESITY PREVENTION GRANT — PROGRAM ESTABLISHED.

1. **PROGRAM GOALS.** The department shall establish and implement a grant program that expands an existing community intervention plan for preventing obesity with nutrition and physical activity approved by the centers for disease control and prevention of the United States department of health and human services. The purpose of the program shall be to increase the physical activity and fruit and vegetable consumption of targeted youth of elementary school age, with a long-term objective of developing a model program that will support and sustain such healthy behavior and incorporate sixty minutes of physical activity per day, which can be replicated in other communities.

2. **DISTRIBUTION OF GRANTS.** The department shall distribute the grants on a competitive basis to six communities located in each of six public health regions identified by the department, and shall provide technical assistance regarding program administration to successful applicants. Communities currently participating in the existing intervention plan shall not be eligible to apply.

3. **QUALIFICATIONS.** A local board of health, community organization, or city that has an elementary building that meets grant criteria may submit an application to the department for review. A coalition of local boards of health, health care providers, and community and private organizations that meet grant criteria may also submit an application. Grant criteria may include the following:

a. Participation in the free fruit and vegetable pilot program sponsored by the United States department of agriculture in designated schools.